
Application No.: 10/702345

Case No.: 58970US002

Amendments to the Drawings:

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, "the housing comprises a plurality of the cavities, a second anchor mounted on the second end of the cable, a second housing, wherein the second anchor is mounted in the second housing, an optical connector mounted on the second end of the cable (the limitations above in claims 11-16 and 25-26)" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended. If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Applicant hereby cancels claims 11-16 and 25-26.

Application No.: 10/702345

Case No.: 58970US002

REMARKS

Claims 1 to 33 were pending. Claims 1 to 33 are rejected. Claims 1 and 28 are hereby amended. Claims 3, 11-16, and 18-27 have been cancelled.

§ 112 Rejections

Claims 14-16 and 25-26 stand rejected under 35 USC § 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The limitations: a second anchor, a second housing and an optical connector mounted on the second end of the cable are not described in the specification.

Applicant has cancelled claims 11-16 and 25-26.

Based on the foregoing, Applicant(s) submit the rejections of claims 14-16 and 25-26 under 35 USC § 112, first paragraph, should be withdrawn.

§ 102 Rejections

Claims 1-2, 6, 9-13 and 17 stand rejected under 35 USC § 102(b) as being anticipated by Corke et al (4,948,222).

The Office Action states in part that:

Claims 1-2, 6, 9-13 and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Corke et al. (4,948,222).

Corke et al., figures 2 and 3, disclose an anchored fiber cable and housing assembly, comprising:

- A fiber optic cable (6) comprising a strength member (18) and jacket (17) around the strength member, wherein the cable including a first end and a second end;
- An anchor (10) mounted on the cable at the first end, the anchor including an inner sleeve (21) and an outer sleeve (10), wherein the strength member including a first end at the first end of the cable structurally engaged with the anchor; and
- A housing (1) comprising an anchor cavity (15) and a cable inlet, the anchor cavity comprising a first shoulder for engaging with the anchor, wherein the anchor is mounted in the housing cavity and the cable extending through the cable inlet, and wherein the first shoulder is engaged with the anchor to prevent the anchor from exiting the housing through the cable inlet (since the housing 1 is a box with peripheral side walls, figure 2 shows the anchor 10 is mounted on one of the side walls).

Application No.: 10/702345

Case No.: 58970US002

Applicant has amended claim 1 to include the limitation of claim 3 that the anchor cavity has a second shoulder and to include the limitation that the anchor is mounted in said housing cavity between said first shoulder and second shoulder.

Applicant respectfully submits that according to MPEP 2131 “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” (citing *Verdegall Bros. V. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)).

Corke does not disclose an anchor cavity having a second shoulder or an anchor mounted in a housing cavity between a first shoulder and a second shoulder. Accordingly, the reference does not describe every element of the claimed invention.

For these reasons, Applicant(s) submit that the cited references will not support a 103(b) rejection of the claims invention and request that the rejection be withdrawn.

Claims 1-5, 7 and 28-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Abendschein et al. (4,795,229).

Abendschein et al., figures 2 and 3, disclose an anchored fiber cable and housing assembly, comprising:

- a fiber optic cable (25) comprising a strength member (33) and jacket (32) around the strength member, wherein the cable including a first end and a second end;
- an anchor mounted on the cable at the first end, the anchor including an inner sleeve (17) and an outer sleeve (18), wherein the strength member including a first end at the first end of the cable structurally engaged with the anchor; and
- a housing (16) comprising an anchor cavity (51) and a cable inlet (53), the anchor cavity comprising a first shoulder (see a figure below) for engaging with the anchor, wherein the anchor is mounted in the housing cavity and the cable extending through the cable inlet, and wherein the first shoulder is engaged with the anchor to prevent the anchor from exiting the housing through the cable inlet.

Regarding claim 2, the fiber optic cable including an optical fiber (31) in the jacket, Regarding claim 3, wherein the anchor cavity comprising a second shoulder (see the figure below), wherein the housing comprising an optical fiber outlet (56), and wherein the second shoulder is engaged with the anchor to prevent the anchor from exiting the housing through the optical outlet.

Regarding claims 4 and 5, the strength member comprising a plurality of filaments and the filaments comprising aramid filaments.

Regarding claim 7, wherein the anchor outer sleeve including a first end oriented towards the first end of the cable, wherein the anchor inner sleeve including a first end oriented towards the first end of the cable and a front flange (71) extending from the first end, and wherein the strength

Application No.: 10/702345

Case No.: 58970US002

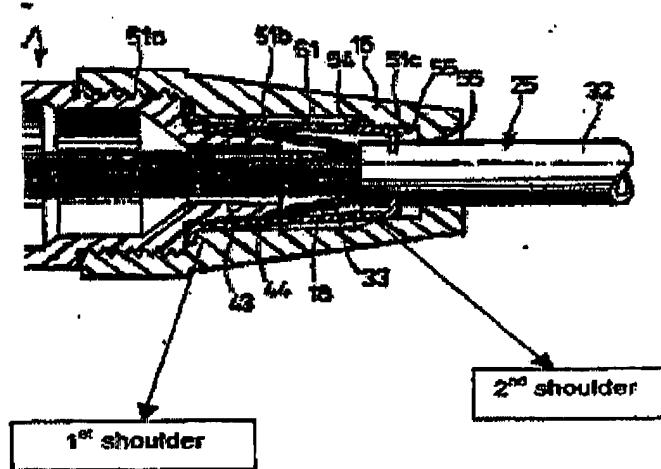
member extending from the first end of the cable and is structurally engaged between the first end of the outer sleeve and the inner sleeve front flange.

Regarding claims 28-33, the features in the method claims are identical to those in the apparatus claims. Therefore, the method of anchoring a fiber optic cable in a housing alone is not a patentable features.

Applicant has amended claims 1 and 28 to include the limitation that the anchor is mounted in a housing cavity between a first shoulder and a second shoulder.

Applicants respectfully submit that according to MPEP 2131 “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” (citing *Verdegall Bros. V. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)).

Abendschein does not disclose an anchor mounted between a first and second shoulder. Accordingly, the reference does not describe every element of the claimed invention. The Examiner states that Abendschein discloses an anchor including an inner sleeve (17) and an outer sleeve (18) and housing (16), with first and second shoulders as indicated in the following graphic from the Office Action.



Application No.: 10/702345

Case No.: 58970US002

As can be seen from the graphic, neither element 18 nor element 17 is between the shoulders.

For these reasons, Applicant(s) submit that the cited references will not support a 102(b) rejection of the claims invention and request that the rejection be withdrawn.

Claims 18-24 and 27 are rejected under 35 U.S.C. 102(b) as being anticipated by Ott (5,559,917).

Applicant has cancelled claims 18- 27. Accordingly, this rejection is moot. Applicant reserves their right to traverse, and argue against, this rejection if it is raised in future prosecution proceedings.

§ 103 Rejections

Claim 3 stands rejected under 35 USC § 103(a) as being unpatentable over Corke et al (4,948,222) in view of Ott (5,559,917).

The Office Action states in part:

Corke et al. disclose the instant claimed invention as described above except for the strength member extends over the jacket towards the second end of the cable, between the jacket and the outer sleeve.

Ott, figure 3, discloses a connector for terminated fiber optic cable having a cable (21) having a strength member (20) extends over a jacket (11) and between the jacket and an outer sleeve (12). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Corke et al. to have the strength member extends over the jacket towards the second end of the cable, between the jacket and the outer sleeve, as taught by CU, in order to improve retention of the strength member within the outer sleeve.

Applicant has amended claim 1 to include the limitation of claim 3 that the anchor cavity has a second shoulder and to include the limitation that the anchor is mounted in said housing cavity between said first shoulder and second shoulder.

Applicants respectfully submit that according to MPEP 2142, to establish a case of prima facie obviousness, three basic criteria must be met: 1) there must be some suggestion or motivation, either in the references or generally known to one skilled in the art, to modify or combine reference teachings, 2) there must be reasonable expectation of success, and 3) prior art references must teach or suggest all the claim limitations. The ability to modify the method of the

Application No.: 10/702345Case No.: 58970US002

references is not sufficient. The reference(s) must provide a motivation or reason for making the changes. *Ex parte Chicago Rawhide Manufacturing Co.*, 226 USPQ 438 (PTO Bd. App. 1984).

Applicants respectfully submit that the references cannot support a case of *prima facie* obviousness as to the claims because, among other possible reasons, the cited references do not provide a motivation or suggest for an anchor cavity having a second shoulder or an anchor mounted in a housing cavity between a first shoulder and a second shoulder because this would require a different anchor design. In addition, these references do not disclose all the elements of the present invention because they do not disclose an anchor cavity having a second shoulder or an anchor mounted in a housing cavity between a first shoulder and a second shoulder.

Neither Corke nor Ott disclose an anchor cavity having a second shoulder or an anchor mounted in a housing cavity between a first shoulder and a second shoulder. Accordingly, the references do not describe every element of the claimed invention.

For these reasons, Applicant(s) submit that the cited references will not support a 103(a) rejection of the claims invention and request that the rejection be withdrawn.

In addition to the foregoing arguments, Applicant(s) submit that a dependent claim should be considered allowable when its parent claim is allowed. *In re McCairn*, 1012 USPQ 411 (CCPA 1954). Accordingly, provided the independent claims are allowed, all claims depending therefrom should also be allowed.

Based on the foregoing, it is submitted that the application is in condition for allowance. Withdrawal of the rejections under 35 U.S.C. 102, 103, and 112 is requested. Examination and reconsideration of the claims are requested.

The Examiner is invited to contact Applicant(s)' attorney if the Examiner believes any remaining questions or issued could be resolved.

Respectfully submitted,

Jan 20, 2005
Date

Office of Intellectual Property Counsel
3M Innovative Properties Company
Facsimile No.: 651-736-3833

By: Melanie Gover
Melanie G. Gover, Reg. No.: 41,793
Telephone No.: (512) 984-4308